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NUCLEAR TESTING

Draft resolution submitted by Australia, Canada, Japan and New Zealand

The General Conference,

(a) Recalling its resolution GC(39)/RES/23, which expressed inter alia grave concern at the resumption and the continuation of nuclear testing, and the expectation that the negotiations then under way for a Comprehensive Nuclear-Test-Ban Treaty would be completed and the Treaty signed in 1996,

(b) Welcoming the adoption of the Comprehensive Nuclear-Test-Ban Treaty by the United Nations General Assembly, in its resolution 50/245 of 10 September 1996,

(c) Recalling resolution 52/11 on the Report of the Agency, adopted by the United Nations General Assembly on 12 November 1997,

(d) Also recalling resolution 1172 (1998) adopted by the Security Council of the United Nations on 5 June 1998, which expressed grave concern at the negative effect of the nuclear tests conducted by India and Pakistan on peace and stability in South Asia and beyond and recognized that those tests constituted a serious threat to global efforts towards nuclear non-proliferation and disarmament,

(e) Noting that the States concerned have both imposed moratoria on further testing and have said that they are willing to enter into legal commitments not to conduct any further nuclear tests, and reiterating the need for such commitments to be expressed in legal form by signing and moving to ratify the Comprehensive Nuclear-Test-Ban Treaty,

(f) Recalling the important mandate and role of the International Atomic Energy Agency in promoting non-proliferation, and that in particular Article III.B.1 of the Statute requires that "the Agency shall conduct its activities in accordance with the purposes and principles of the United Nations to promote peace and international co-operation, and in conformity with policies of the United Nations furthering the establishment of safeguarded worldwide disarmament and in conformity with any international agreements entered into pursuant to such policies",

(g) Reaffirming the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons and the Comprehensive Nuclear-Test-Ban Treaty as the cornerstones of the international regime on the non-proliferation of nuclear weapons and as essential foundations for the pursuit of nuclear disarmament, and the importance of all States adhering to these treaties, as well as to the other elements of the international non-proliferation regime, among which are the Agency's safeguards system, including the Model Additional Protocol (INFCIRC/540), and

(h) Welcoming the consensus in the Conference on Disarmament on establishment of an ad hoc committee to negotiate a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, and welcoming the confirmation by the Director General to the President of the Conference on Disarmament of the readiness of the Agency to provide assistance in accordance with United Nations General Assembly resolution 48/75 L of 16 December 1993, for examination of verification arrangements for such a treaty as required,

1. Expresses grave concern over and strongly deplores the nuclear tests conducted [in South Asia in May 1998/by India on 11 and 13 May 1998 and by Pakistan on 28 and 30 May 1998];

2. Calls upon [the States concerned/India and Pakistan] to implement resolution 1172 (1998) of the Security Council of the United Nations;

3. Urges all States that have not yet done so, particularly those States that operate unsafeguarded nuclear facilities, to become Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and place all their nuclear material and facilities under comprehensive Agency safeguards as required by that Treaty, and to become Parties to the Comprehensive Nuclear-Test-Ban Treaty, without delay and without conditions;

4. Calls upon [the States concerned/India and Pakistan] to conclude promptly, consistent with their safeguards commitments and pending their adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, the additional protocols as called for by resolution GC(41)/RES/16;

5. Urges all States, especially those with the capability to produce fissile material, to support the negotiations for a treaty banning the production of fissile material and, as soon as those negotiations are completed, to adhere to it;

6. Affirms the need to continue to move with determination towards the full realization and effective implementation of all the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons, welcomes the determination of the five nuclear-weapon States to fulfil their commitments relating to nuclear disarmament under Article VI of the Treaty, and calls upon those States to intensify their efforts to reduce and ultimately to eliminate their nuclear weapons in accordance with that article; and

7. Remains seized of future developments pertinent to this resolution with a view to the further promotion of nuclear non-proliferation objectives consistent with the provisions of Articles II and III.B.1 of the Statute.